

**STATE OF HAWAII
DEPARTMENT OF HEALTH**

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doh.testimony@doh.hawaii.gov

**Testimony COMMENTING on H.B. 620, H.D. 1
RELATING TO ENVIRONMENTAL PROTECTION**

REPRESENTATIVE ANGUS L.K. McKELVEY, CHAIR
HOUSE COMMITTEE ON CONSUMER PROTECTION AND COMMERCE

Hearing Date: March 2, 2015

Room Number: 325

Time: 3:00 p.m.

1 **Fiscal Implications:** No funding is provided to enforce this measure.

2 **Department Testimony:** The Department appreciates the legislature's concern over the
3 labeling of plastic items as "compostable." However, the ASTM standards for the labeling of
4 plastic products as "compostable" will only identify what materials can be composted if it is
5 placed in commercial and municipal composting facilities. It will not prevent the release of
6 "biodegradable" products into the environment, or ensure that the material will readily
7 decompose in environments other than aerobic, thermophilic conditions of a commercial and
8 municipal composting facility. We also note that this type of plastic is less than 1 percent of the
9 current plastics waste stream, and that composting facilities have not shown interest in accepting,
10 segregating, and composting this small fraction of the plastics waste stream on a regular, "large-
11 scale" basis.

12 If the legislature chooses to pass this measure, the Department prefers the HD1 version over the
13 original version because it makes this labeling requirement self-implementing. Because no
14 funding is provided to implement this measure, the Department does not have the resources to
15 enforce the proposed labeling requirements at this time. The proposed new requirements will
16 require oversight over a new set of regulated entities, not ones that we already regulate under
17 HRS 342G or H. Our solid waste enforcement staff is primarily funded by solid waste
18 management surcharge revenue which has decreased over recent years. In order to accommodate
19 reduced revenue and increased personnel costs, we have already cut or reduced services, such as
20 state-wide solid waste management planning, compliance monitoring of solid waste facilities,
21 enforcement of battery and tire retailers, and municipal solid waste landfill operator training.

22 If the legislature chooses to pass this measure, we also ask that the measure be placed in a new,
23 separate chapter, such as 332A. However, if the legislature still wishes to place this measure in
24 342H, we ask that it be placed in Part III rather than Part II.

Thank you for the opportunity to testify on this measure.

COUNTY COUNCIL

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Council Services Division
4396 Rice Street, Suite 209
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February 27, 2015

TESTIMONY OF MASON K. CHOCK
COUNCILMEMBER, KAUAI COUNTY COUNCIL
ON
HB 620, HD 1, RELATING TO ENVIRONMENTAL PROTECTION
House Committee on Consumer Protection & Commerce
Monday, March 2, 2015
3:00 p.m.
Conference Room 325

Dear Chair McKelvey and Members of the Committee:

Thank you for this opportunity to submit testimony in support of HB 620, HD 1, Relating to Environmental Protection. My testimony is submitted in my capacity as an individual Councilmember of the Kauai County Council.

The purpose of HB 620, HD 1 is to prohibit a plastic product from being labeled as compostable unless it meets ASTM D6400 standards. This Bill serves to define for all consumers and companies what "biodegradable" really means and helps to prevent products from being mislabeled and consumers from being misinformed. So-called "biodegradable" products actually cause more damage to the environment as they break down into tiny micro-plastics which is then consumed by wildlife, or further contaminates the soil or water sources. The Bill before you further sets strict ASTM D6400 standards by which a product can be deemed as certified compostable. This will ensure that these products, which require less fossil fuel to manufacture, burn more efficiently than plastic, and are less toxic to the environment are utilized and properly labeled.

For the reasons stated above, I strongly encourage the House Committee on Consumer Protection & Commerce to support this measure. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188.

Sincerely,

MASON K. CHOCK
Councilmember, Kauai County Council



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TO:
COMMITTEE ON CONSUMER PROTECTION AND COMMERCE
Angus L.K. McKelvey, Chair
Justin H. Woodson, Vice Chair

FROM: HAWAII FOOD INDUSTRY ASSOCIATION
Lauren Zirbel, Executive Director

DATE: March 2, 2015
TIME: 3pm
PLACE: Conference Room 325

RE: HB620

Position: Comments

The Hawaii Food Industry Association is comprised of two hundred member companies representing retailers, suppliers, producers, and distributors of food and beverage related products in the State of Hawaii.

HFIA supports the intent of this measure. The onus and liability for labeling should of course be on the manufacturer of plastic products and not on retailers or consumers of these products. In order to clarify this, and avoid any confusion during implementation and enforcement of this measure we ask that paragraph (d) be amended to read as follows:

(d) A [manufacturer of plastic products] ~~person~~ who violates this section shall be fined \$ _____ for each separate violation. Each day the violation continues shall constitute a separate violation.

Thank you for the opportunity to testify.

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 26, 2015 7:04 PM
To: CPCtestimony
Cc: babyjean@hotmail.com
Subject: *Submitted testimony for HB620 on Mar 2, 2015 15:00PM*

HB620

Submitted on: 2/26/2015

Testimony for CPC on Mar 2, 2015 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Ronnie Perry	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

Sharon Coburn 798 Hoomaemae St.

Pearl City

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LATE

I stand solidly behind Surfrider and the other environmental groups on this bill. Anything short of this requirement is just lying to consumers.

You will note that consumers are strongly behind this issue, while the only ones opposed are an industry spokesperson, and the Department of Health!

I am, incidentally, appalled by the testimony of the DOH stating that we no longer monitor solid waste facilities, train facility operators, or enforce the compliance of battery and tire retailers! I feel rather certain that the majority of constituents are not aware of this.

It would appear to me that the state needs to budget more to this essential program, instead of cutting back services.

Beach Environmental Awareness Campaign Hawai'i

P.O. Box 25284 · Honolulu · Hawai'i · 96825

(808) 393 2168 · www.b-e-a-c-h.org

LATE TESTIMONY

DATE: 2nd March, 2015.

TO: Chair Angus McKelvey, Vice-Chair Justin Woodson and Members of the Committee on Consumer Protection and Commerce

FROM: Suzanne Frazer, President, Beach Environmental Awareness Campaign Hawai'i

RE: **TESTIMONY IN SUPPORT OF HB620 HD1**

Relating to Environmental Protection. Prohibits a plastic product from being labelled as compostable, unless it meets ASTM D6400 standards.

Committee meeting on Monday 2nd March, 2015 at 3PM in conference room 325

Aloha Chair McKelvey, Vice-Chair Woodson and Committee Members,

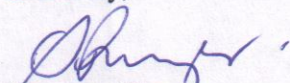
Beach Environmental Awareness Campaign Hawai'i (B.E.A.C.H.) supports HB620 HD1. This bill is important to ensuring that the public is not misled by false claims that a plastic item can break down in the environment.

Having plastic fragment or degrade is not helpful to the environment. It is very, very bad as small fragments of plastic are very difficult to pick up at the beach and are impossible to remove from the ocean. Adding some starch to plastic to make it look like it breaks down is only about misleading the public into believing a plastic item is able to completely break down but this is false as the plastic remains. Plastic cannot break down completely. It only photodegrades. Plastic lasts forever.

It is important to ensure that no plastic product is labelled with misleading terms such as "biodegradable", "degradable" and "decomposable". No plastic product with such labels will break down completely in the environment and not cause harm. Only products made with the ASTM D6400 standard are capable of breaking down in a commercial compost facility in high heat and then they are of no harm to the environment. Therefore please amend part (b) of this bill to the original wording of HD620 which is clear and provides a set standard whereas (b) in HD1 leaves open the possibility which we have seen before in the form of lab tests that are manipulated in such a way as to give misleading results.

Thank you for the opportunity to provide written testimony in support of HB620 HD1.

Sincerely,



Suzanne Frazer.

President,

Beach Environmental Awareness Campaign Hawai'i (B.E.A.C.H.)



LATE TESTIMONY

DATE: 2nd March, 2015

TO: Chair Angus L.K. McKelvey, Vice-Chair Justin H. Woodson and
Members of the Committee on Consumer Protection and Commerce

FROM: Dean Otsuki
P.O. Box 25284
Honolulu, HI 96825

RE: **TESTIMONY IN SUPPORT OF HB620 HD1**
Relating to Environmental Protection. Requires plastic products
labeled as biodegradable, degradable, decomposable, or compostable
to meet ASTM D6400 standards

Committee hearing, Monday 2nd March, 2015 at 3pm.

Aloha Chair McKelvey and Members of the Committee on Consumer Protection and Commerce,


I am writing in support of HB620 HD1 because there are so many manufacturers of plastic products that claim their plastic products are biodegradable or "good for the environment when they are not made of natural compostable materials. Having products meet the ASTM D6400 standards for compostability is needed to protect the public from being deceived.

Plastic products whether they are in one piece or broken into tiny pieces are detrimental for the environment, especially the ocean environment. Plastic never biodegrades, only photodegrades into smaller and smaller pieces which may be ingested by marine life. Plastic lasts forever. Many plastic products labeled biodegradable usually have a natural substance mixed in with the plastic which makes the product break down faster but never completely breaks down into compost.

In section (b) please amend the wording as it was in the original HB620 as the language is clear and straightforward. The Biodegradable Product Institute should be the only lab trusted to test for ASTM D6400 specifications otherwise data for compostability may be manipulated giving false and misleading results.

The deception that plastics are biodegradable by plastics manufacturers needs to stop and requiring products that are compostable to be labeled with the ASTM D6400 designation needs to be signed into law. Thank you for this opportunity to provide written testimony in support of HB620 HD1.

Aloha,



Dean Otsuki